

# OPEN MEETING ITEM



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**COMMISSIONERS**  
SUSAN BITTER SMITH – Chairman  
BOB STUMP  
BOB BURNS  
DOUG LITTLE  
TOM FORESE



**ARIZONA CORPORATION COMMISSION**

RECEIVED

Chief Administrative Law Judge

2015 JAN 12 A 9:48

ARIZONA CORPORATION COMMISSION  
DOCKET CONTROL

DATE: JANUARY 12, 2015

DOCKET NOS.: W-04254A-12-0204; W-04254A-12-0205; W-04254A-12-0206;  
W-04254A-12-0207; W-04254A-11-0323; W-04254A-08-0361  
AND W-04254A-08-0362

ORIGINAL

TO ALL PARTIES:

Enclosed please find the recommendation of Administrative Law Judge Sarah N. Harpring. The recommendation has been filed in the form of an Order on:

MONTEZUMA RIMROCK WATER COMPANY, LLC  
(ORDER EXTENDS COMPLIANCE DEADLINE IN DECISION NO. 74504)

Pursuant to A.A.C. R14-3-110(B), you may file exceptions to the recommendation of the Administrative Law Judge by filing an original and thirteen (13) copies of the exceptions with the Commission's Docket Control at the address listed below by **4:00** p.m. on or before:

JANUARY 21, 2015

The enclosed is NOT an order of the Commission, but a recommendation of the Administrative Law Judge to the Commissioners. Consideration of this matter has tentatively been scheduled for the Commission's Open Meeting to be held on:

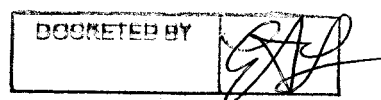
FEBRUARY 3, 2015 AND FEBRUARY 4, 2015

For more information, you may contact Docket Control at (602) 542-3477 or the Hearing Division at (602) 542-4250. For information about the Open Meeting, contact the Executive Director's Office at (602) 542-3931.

Arizona Corporation Commission

DOCKETED

JAN 12 2015



*Jodi A. Jerich*

JODI JERICH  
EXECUTIVE DIRECTOR

1200 WEST WASHINGTON STREET, PHOENIX, ARIZONA 85007-2927 / 400 WEST CONGRESS STREET, TUCSON, ARIZONA 85701-1347  
[www.azcc.gov](http://www.azcc.gov)

This document is available in alternative formats by contacting Shaylin Bernal, ADA Coordinator, voice phone number 602-542-3931, E-mail [SABernal@azcc.gov](mailto:SABernal@azcc.gov).

1                               **BEFORE THE ARIZONA CORPORATION COMMISSION**

2   COMMISSIONERS

3   SUSAN BITTER SMITH - Chairman  
4   BOB STUMP  
5   BOB BURNS  
6   DOUG LITTLE  
7   TOM FORESE

8   IN THE MATTER OF THE APPLICATION OF  
9   MONTEZUMA RIMROCK WATER COMPANY,  
10   LLC FOR APPROVAL OF FINANCING TO  
11   INSTALL A WATER LINE FROM THE WELL ON  
12   TIEMAN TO WELL NO. 1 ON TOWERS.

DOCKET NO. W-04254A-12-0204

13   IN THE MATTER OF THE APPLICATION OF  
14   MONTEZUMA RIMROCK WATER COMPANY,  
15   LLC FOR APPROVAL OF FINANCING TO  
16   PURCHASE THE WELL NO. 4 SITE AND THE  
17   COMPANY VEHICLE.

DOCKET NO. W-04254A-12-0205

18   IN THE MATTER OF THE APPLICATION OF  
19   MONTEZUMA RIMROCK WATER COMPANY,  
20   LLC FOR APPROVAL OF FINANCING FOR AN  
21   8,000-GALLON HYDRO-PNEUMATIC TANK.

DOCKET NO. W-04254A-12-0206

22   IN THE MATTER OF THE RATE APPLICATION  
23   OF MONTEZUMA RIMROCK WATER  
24   COMPANY, LLC.

DOCKET NO. W-04254A-12-0207

25   JOHN E. DOUGHERTY,  
26                               COMPLAINANT,  
27   V.  
28   MONTEZUMA RIMROCK WATER  
COMPANY, LLC,  
RESPONDENT.

DOCKET NO. W-04254A-11-0323

IN THE MATTER OF THE APPLICATION OF  
MONTEZUMA RIMROCK WATER  
COMPANY, LLC FOR APPROVAL OF A  
RATE INCREASE.

DOCKET NO. W-04254A-08-0361

IN THE MATTER OF THE APPLICATION OF  
MONTEZUMA RIMROCK WATER  
COMPANY, LLC FOR APPROVAL OF A  
FINANCING APPLICATION.

DOCKET NO. W-04254A-08-0362

**ORDER**  
**(Extends Compliance Deadline in**  
**Decision No. 74504)**

Open Meeting  
February 3 and 4, 2015  
Phoenix, Arizona

**BY THE COMMISSION:**

\* \* \* \* \*

Having considered the entire record herein and being fully advised in the premises, the Commission finds, concludes, and orders that:

**FINDINGS OF FACT**

1. On May 30, 2014, the Arizona Corporation Commission ("Commission") issued Decision No. 74504 in this consolidated matter, in which the Commission established rates and charges for Montezuma Rimrock Water Company, LLC ("Montezuma"), resolved several financing applications filed by Montezuma, and adjudicated a Formal Complaint filed against Montezuma by John E. Dougherty. In the Decision, *inter alia*, the Commission ordered the following:

IT IS FURTHER ORDERED that to ensure the Commission is apprised of Montezuma Rimrock Water Company, LLC's performance and conduct, the Commission's Utilities Division shall monitor Montezuma Rimrock Water Company, LLC's compliance with this Decision for the next 24 months. Every six months from the effective date of this Order and for a period of 24 months, the Company shall file a compliance report regarding its adherence to the requirements of this Decision and Commission rules, regulations, and statutes. Within 2 months after each of the Company's filings, Staff shall file a Compliance Report detailing the status of Montezuma Rimrock Water Company, LLC's compliance with this Decision and with all applicable Commission statutes, rules, Decisions, and Orders during the period in question and making a recommendation concerning the Company's compliance or lack thereof, and whether a Show Cause proceeding should be initiated and other adverse action taken.<sup>1</sup>

2. On November 5, 2014, Montezuma filed a Notice of Filing Montezuma Rimrock Water Co. LLC Compliance Report.

3. The language quoted above from Decision No. 74504 created a filing deadline of January 5, 2014, for the Commission's Utilities Division ("Staff") to file its Compliance Report regarding Montezuma.

<sup>1</sup> Decision No. 74504 at 167.

1           4.     On December 30, 2014, Staff filed Staff's Request for Extension of Time to File  
2 Compliance Report, stating that Staff requests a 30-day extension of time, until February 4, 2015, to  
3 file its Compliance Report.

4           5.     No party has filed a response to Staff's Request.

5           6.     It is reasonable to grant Staff the unopposed 30-day extension requested.

6                               **CONCLUSIONS OF LAW**

7           1.     Montezuma is a public service corporation pursuant to Article XV of the Arizona  
8 Constitution and A.R.S. Title 40.

9           2.     The Commission has jurisdiction over Montezuma and the subject matter of Staff's  
10 request.

11          3.     Granting Staff a 30-day extension of time to complete and file its Compliance Report  
12 required by Decision No. 74504 is fair and reasonable and in the public interest.

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**ORDER**

IT IS THEREFORE ORDERED that the deadline for Staff to file a Compliance Report concerning Montezuma Rimrock Water Company, LLC, is hereby extended to February 4, 2015.

IT IS FURTHER ORDERED that this Decision shall become effective immediately.

BY ORDER OF THE ARIZONA CORPORATION COMMISSION.

CHAIRMAN

COMMISSIONER

COMMISSIONER

COMMISSIONER

COMMISSIONER

IN WITNESS WHEREOF, I, JODI JERICH, Executive Director of the Arizona Corporation Commission, have hereunto set my hand and caused the official seal of the Commission to be affixed at the Capitol, in the City of Phoenix, this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

JODI JERICH  
EXECUTIVE DIRECTOR

DISSENT \_\_\_\_\_

DISSENT \_\_\_\_\_

SERVICE LIST FOR:

MONTEZUMA RIMROCK WATER COMPANY

DOCKET NOS.:

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